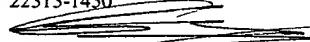


AF/1651

6!
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date of Signature and Deposit: September 22, 2003


Sara D. Vinarov, Reg. No. 48,524

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yiping Ambuel
Thomas R. Van Oosbree
Mark R. McCormick
Robert M. Mierendorf

Date: September 22, 2003

Serial No.: 09/848,449

Group Art Unit: 1651

Filed: May 3, 2001

Examiner: Herbert J. Lilling

For: IMPROVED E. COLI EXTRACT FOR
PROTEIN SYNTHESIS

File No.: 700399.90126

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
SEP 30 2003
TECH CENTER 1600/2900

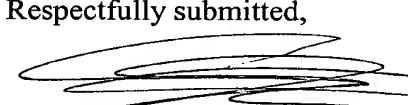
Dear Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the final rejection of Claims 1-9 contained in the Office Action mailed on June 25, 2003 in the subject patent application.

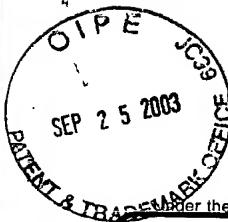
Claims 1-30 are pending in the application. This appeal is being taken with respect to Claims 1-9.

The applicant is a large entity. The \$320.00 fee for filing this Notice of Appeal should be charged to Deposit Account No. 17-0055.

Respectfully submitted,


Sara D. Vinarov, Reg. No. 48,524
Attorney for Applicants
Quarles & Brady LLP
P. O. Box 2113
Madison, WI 53701-2113

TEL (608)251-5000
FAX (608)251-9166



FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** 320.00

Approved for use through 10/31/2003.
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Complete if Known

Application Number	09/848,449
Filing Date	05/03/2001
First Named Inventor	Yuping Ambuel
Examiner Name	Herbert J Lilling
Art Unit	1651
Attorney Docket No.	700399.90126

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit-Account:

Deposit Account Number	17-0055
Deposit Account Name	Quarles & Brady LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2050	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	320
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20**	=	X = 0.00
			-3***	=	X = 0.00

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

***or number previously paid, if greater; For Reissues, see above*

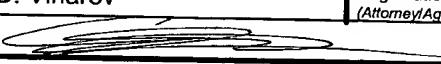
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description
1806	180	1806	180	Processing fee under 37 CFR 1.17(q)
8021	40	3021	40	Submission of Information Disclosure Stmt
1809	750	2809	375	Recording each patent assignment per property (times number of properties)
1810	750	2810	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1801	750	2801	375	For each additional invention to be examined (37 CFR § 1.129(b))
1802	900	1802	900	Request for Continued Examination (RCE)
				Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 320.00

SUBMITTED BY

Name (Print/Type)	Sara D. Vinarov	Registration No. (Attorney/Agent)	48,524	Complete (if applicable)
Signature		Date	09/22/2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Doc. No. 363906

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PTO/SB/31 (05-03)

Approved for use through 4/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 700399.90126						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>September 22, 2003</u>.</p> <p></p> <p>Signature _____</p> <p>Typed or printed name <u>Sara D. Vinarov</u></p>		<p>In re Application of Yuping Ambuel</p> <table border="1"> <tr> <td>Application Number 09/848,449</td> <td>Filed 05/03/2001</td> </tr> <tr> <td colspan="2">For Improved E. Coli Extract for Protein Synthesis</td> </tr> <tr> <td>Group Art Unit 1651</td> <td>Examiner Herbert J. Lilling</td> </tr> </table>	Application Number 09/848,449	Filed 05/03/2001	For Improved E. Coli Extract for Protein Synthesis		Group Art Unit 1651	Examiner Herbert J. Lilling
Application Number 09/848,449	Filed 05/03/2001							
For Improved E. Coli Extract for Protein Synthesis								
Group Art Unit 1651	Examiner Herbert J. Lilling							

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320

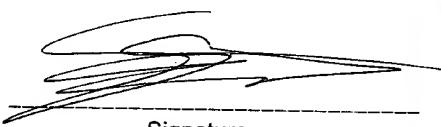
- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 17-0055. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

RECEIVED
SEP 30 2003
TECH CENTER 1600/2900

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO 2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record.
- attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____.



Signature _____

Sara D. Vinarov

Typed or printed name

September 22, 2003

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the